remainder are words of limitation as distinguished from words of purchase. Co. LIT. 319 *b*. *Cf.* A. M. Kales, "Application of Rule in Shelley's Case," 28 L. QUART. REV. 148, 152. But whether they are words of limitation or of purchase is a question of construction. *Jordan* v. *Adams*, 9 C. B. (N. S.) 483; *Arnold* v. *Muhlenberg College*, 227 Pa. St. 321, 76 Atl. 30. See 1 TIFFANY, REAL PROP., § 132. In devises of land, "issue" has generally been treated as embracing descendants of every degree of the ancestor, and consequently as synonymous with "heirs of the body." *Roe* v. *Grew*, 2 Wils. 322; *Grimes* v. *Shirk*, 169 Pa. St. 74; *Kleppner* v. *Laverty*, 70 Pa. St. 70. This is true even though the issue are to take as tenants in common. See 2 JARMAN, WILLS, 6 Eng. ed., 1944. The reason given is that this is the only way to carry the inheritance to the issue, since if they took by purchase they would take only for their lives. *Jackson* v. *Calvert*, 1 J. & H. 235. But where words of limitation are superadded which indicate that descent is to be traced, not from the ancestor, but from a new stock, "issue" will be construed as a word of purchase. *Hamilton* v. *West*, 10 Ir. Eq. Rep. 75; *Lees* v. *Mosley*, 1 Y. & C. 589. *Cf. Archer's Case*, 1 Co. 66 *b*. And likewise, if the context plainly shows that by "issue" the testator meant "children." *Ryan* v. *Cowley*, Ll. & G. *t. Sugden*, 7. *Cf. Jordan* v. *Adams*, *supra*. Where, as in the principal case, a statute does away with the necessity of using words of limitation to pass the fee, the reason for construing "issue" as a word of limitation no longer exists. Accordingly, the issue, whether now treated as including only children or all the lineal descendants, would take by purchase a fee simple by way of remainder, and the ancestor, therefore, a life estate only. See 2 JARMAN, WILLS, 6 Eng. ed., 1950, 1951; 27 HARV. L. REV. 673. This result has already been reached in this country and would seem to be sound. *Ward* v. *Jones*, 40 N. C. 400.

WILLS — UNATTACHED SHEETS — SIGNATURE AT END — PARTIAL REVOCATION.— A sealed envelope marked "Will of John Seiter" was handed by Seiter to his niece with the declaration that it was his will. In the envelope were four papers which evidence tended to show were the remnants of an original will after pieces had been cut out by the deceased himself. One page contained words expressing the *animus disponendi* and a legacy marked "first"; another page contained a residuary clause marked "eighth"; the third paper, an attestation clause; while on the fourth was nothing but the signature and seal of the deceased and signatures of witnesses. There was no reference to the other papers in any of the pages, nor was there continuity of language from sheet to sheet, each expressing a completed thought. *Held*, that probate was properly refused. *In re Seiter's Estate*, 108 Atl. 614 (Pa.).

In Pennsylvania and some other states, *pro tanto* revocation is allowed. *Tomlinson's Estate*, 133 Pa. St. 245, 19 Atl. 482; *Re Kirkpatrick*, 22 N. J. E. 463. See PURDON'S DIGEST (Pa.), 5130 *ff*. (P. L. 250, 409). See also 23 HARV. L. REV. 558. It may be accomplished by cutting out portions of the paper with intent to revoke the legacies set forth therein. *In re Brown*, 1 B. Mon. (Ky.) 56; *Nelson's Goods*, Ir. Rep. 6 Eq. 569. But before any doctrine of revocation can be applied a complete will must be shown to have existed. See PURDON'S DIGEST, *supra*. Of this there was not sufficient evidence in the principal case. The papers of themselves could not constitute a will in Pennsylvania, for the statutory requirement of a signature "at the end thereof" was probably not satisfied. *Cf. Stinson's Estate*, 228 Pa. St. 475, 77 Atl. 807. See PURDON'S DIGEST (Pa.), 5120, 5122 (P. L. 249). See also 13 HARV. L. REV. 686. Without such a statute it would seem that the papers might constitute a will. The physical position of the signature would be immaterial. *Gale* v. *Freeman*, 153 Wis. 337, 141 N. W. 226; *Le Mayne* v. *Stanley*, 3 Lev. 1. Physical connection from sheet to sheet without any lack of internal coherence is sufficient to bring pages together into a will. *Palmer* v. *Owen*, 229 Ill. 115,

82 N. E. 275; *Rees* v. *Rees*, L. R. 3 P. & D. 84. Inclusion in a single sealed envelope would seem to be enough physical connection. *Martin* v. *Hamlin*, 4 Strob. L. (S. C.) 188.

BOOK REVIEWS

THE LIFE OF JOHN MARSHALL. By Albert J. Beveridge. Vol. III: Conflict and Construction (1800–1815). pp. xxii, 644. Vol. IV: The Building of the Nation (1815–1835). pp. xviii, 668. Boston and New York: Houghton Mifflin Company. 1919.

The two volumes of former Senator Beveridge's "Life of John Marshall" now under review complete a work which will rank in American literature not only as the leading biography of the greatest of our Chief Justices, but also as one of the most instructive histories of the American nation in its formative period.

In the period covered by the present volumes — the years from 1800 to 1835 — John Marshall was the principal judicial moulder of American public law; and he was also one of America's leading statesmen. Owing to his learning and skill as a jurist, and especially to his sure grasp of the meaning and purpose of the American Federal Constitution, he was able, by means of his judicial decisions, to shape American institutions along the lines of strength and of unity. Not only did Marshall preserve the Union against disruptive influences in his own time, he also did more than any other statesman, if we except only Lincoln, to preserve the Union in the period of the Civil War. It was Marshall's great achievement that he established a body of sound constitutional doctrine which has served as the bulwark of the Republic in all the periods of its danger from the attacks of hostile forces. Lincoln and the men who worked with him for the Northern cause could hardly have held the states together as a complete and organic whole if they had not built upon the opinions, the sentiments, the tendencies, and the constitutional and legal framework of Federalism, which had been endowed by Marshall with the life and vigour emanating from his genius as a constructive jurist-statesman.

Senator Beveridge's two volumes place this great service of Marshall to his country in its setting of historical environment. In their pages the figure of the man himself stands forth among the other jurists and statesmen of the time. We see them all very clearly and distinctly as they play their parts in the drama of the national life in the early nineteenth century; but above Chase, Burr, Randolph, Wirt, Adams, Jay, and Jefferson, and even above Hamilton, Story, and Kent, towers the majestic personality of the Chief Justice. All of these men of the period were shaping the political and social forces of the nation, and especially the forces of Federalism and Republicanism. But John Marshall, as Chief Justice of the Supreme Court, was in control of a constitutional instrument of commanding power. In Senator Beveridge's volumes we have a vivid picture of Marshall as he uses this instrument in the shaping of those legal and political policies of Federalism which have ever since characterised the American Republic and given it its place among the nations. It is this service of Marshall to the Republic which Senator Beveridge emphasizes in his enlightening and dramatic story of the times.

It is well that the emphasis should be placed upon Marshall's personality and achievement. In a life of Marshall we want the great constitutionalist to play the leading rôle; and, after all, in the biographies of his contemporaries we may find the necessary readjustments of perspective. In reading the biographies of all great men we are entitled to be hero-worshippers if we wish it.